

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

SANDRA ALCAZAR, et al.,

Case No. 2:14-CV-13739-GAD-RSW

Plaintiffs,

Hon. Gershwin A. Drain

v.

WALGREEN CO., d/b/a  
WALGREENS,

Defendant.

/

**JOINT MOTION TO STAY ALL PROCEEDINGS AND,  
FOLLOWING STAY, TO PERMIT A SECOND AMENDED COMPLAINT**

The Parties, by and through their undersigned counsel, respectfully move this Court to enter an Order: (i) staying all deadlines and proceedings through and including March 13, 2015; and (ii) should the Parties be unable to resolve this action prior to the expiration of the stay, providing (a) Plaintiffs until March 20, 2015 to amend their complaint a second time, and (b) Defendant until April 10, 2015 to respond to Plaintiffs' complaint. In support of their joint motion, the Parties state as follows:

1. Plaintiffs filed their First Amended Complaint on September 30, 2014. *See Doc. 3.* The First Amended Complaint includes as parties 38 named Plaintiffs.

2. Defendant waived formal service of the First Amended Complaint, giving it a response deadline of January 5, 2015. *See Executed Waiver, Doc. 4.*

3. Defendant has provided Plaintiffs with some preliminary information about the 38 Plaintiffs. Through that disclosure, the Parties have discovered that some Plaintiffs are not properly part of this lawsuit.

4. Defendant has also discussed with Plaintiffs—and Plaintiffs acknowledge—the need for some specifics as to the allegations of each Plaintiff, such as their dates of employment in the Executive Assistant Manager (“EXA”) position that they have put at issue, the stores where each Plaintiff worked as an EXA, the specific weeks in which each Plaintiff claims to have worked overtime hours as an EXA, and the number of overtime hours each Plaintiff claims to have worked each week as an EXA. At present, Plaintiffs’ First Amended Complaint provides none of these facts and is, instead, based on group allegations as to Plaintiffs’ employment.

5. Ultimately, the Parties agree that this action will either be resolved through their settlement discussions or, if it is not, that Plaintiffs’ First Amended Complaint will need to be amended in order to satisfy applicable pleading standards.

6. In addition to discussing the deficiencies of Plaintiffs' First Amended Complaint, the Parties have discussed the possibility of an early resolution of this action.

7. Given the factual deficiencies in the First Amended Complaint, the large number of Plaintiffs in this action and the amount of time it will take to add some specifics as to each of their allegations, Plaintiffs' counsel's need to prepare for a trial in January, and the Parties' desire to engage in a preliminary settlement dialogue, the Parties agree that expending time on pretrial and scheduling conferences, formal discovery, and motions/pleadings practice would very likely result in the undue waste of their own time and resources as well as the time and resources of this Court.

8. For the foregoing reasons, the Parties jointly request that this Court enter an Order (i) staying all deadlines and proceedings in this action through and including March 13, 2015; and (ii) in the event that the Parties do not resolve this action prior to the expiration of the stay, providing Plaintiffs until March 20, 2015 to amend their complaint and Defendant until April 10, 2015 to respond to Plaintiffs' complaint.

9. The Parties attach a Proposed Order for this Court's consideration.

Respectfully submitted this 31st day of December, 2014.

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By: s/ Louisa J. Johnson  
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